

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

EUNICE LEE,

Plaintiff,

v.

ULTA SALON,

Defendants.

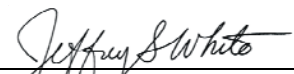
No. C 09-04022 JSW

**ORDER RE JOINT  
APPLICATION FOR ORDER  
UPON STIPULATION RE  
FURTHER PROCEEDINGS**

On April 20, 2011, the parties filed a Joint Application for Order Upon Stipulation re Further Proceedings, which they have noticed for hearing on May 27, 2011. That hearing date is VACATED because it is unavailable for hearings for cases with terminal digit "2." In addition, the Court believes this matter can be resolved on the papers. The recently discovered class members did not receive notice of the proposed settlement before the Court entered a final judgment, and therefore did not have the opportunity to opt out or to object to the proposed settlement. Although the parties have contemplated providing these class members with a letter and a proposed release, the Court requests further briefing on whether these class members will be advised of their right not to participate in the settlement and the legal implications of that choice. The parties shall submit further briefing on this issue by no later than May 6, 2011.

**IT IS SO ORDERED.**

Dated: April 22, 2011

  
JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE